TOUR NOELLED 30 -PTO/SB/21 (05-03 Approved for use through 04/30/2003.,OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE k Reduction and 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Under the Pa **Application Number** 09/580,018 TRANSMITTAL Filing Date May 26, 2000 **FORM** Schenk, Dale B. First Named Inventor (to be used for all correspondence after initial filing) 1647 Art Unit Christopher J. Nichols **Examiner Name** tal Number of Pages in This Submission 12 Attorney Docket Number 15270J-004760US ENCLOSURES (Check all that apply) After Allowance Communication to Group Fee Transmittal Form Drawing(s) (1 pg, submitted in duplicate) Appeal Communication to Board of Appeals Licensing-related Papers Fee Attached and Interferences Terminal Disclaimer Other Enclosure(s) RECEIVE Extension of Time Request (please identify below): Request for Refund 1. Return Postcard (1 page) Express Abandonment Request JUL 31 1003 CD, Number of CD(s) Supplemental Information TECH CENTER 1640/2900 Disclosure Statement (4 pages) w/attached PTO/SB/08A (2 pages) and PTO/SB/08B (2 pages) including Vol. 1 of 2 (cites 340-349)\* and Vol. 2 of 2 (cites 351-376)\* The Commissioner is authorized to charge any additional fees to Deposit Certified Copy of Priority Account 20-1430. Remarks Document(s) Response to Missing Parts/ Incomplete Application \* Page count for cites 340-348 & 351-376 not included in Total Number of Pages in This Submission. Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Townsend and Townsend and Crew LLP Firm Reg. No. 42,397 Rosemarie L. Celli Individual Signature Date July 23, 2003

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PTO/SB/17 (05-03)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete If Known FEE TRANSMITTAL 09/724,273 Application Number for FY 2003 November 28, 2000 Filing Date Effective 01/01/2003. Patent fees are subject to annual revision. First Named Inventor Schenk, Dale B. Applicant claims small entity status. See 37 CFR 1.27 **Examiner Name** Sharon L. Tumer TECH CENTER 1600/2 Art Unit 1647 **TOTAL AMOUNT OF PAYMENT** 15270J-004763US 180 Attorney Docket No. METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) 3. ADDITIONAL FEES Check Credit Card MoneyOrder Other None Deposit Account **Entity** Small **Entity** Large Fee Deposit Fee Description Code Code (\$) (\$) Paid 20-1430 Account 1051 130 2051 65 Surcharge - late filing fee or oath Number 2052 1052 25 Surcharge - late provisional filing fee 50 or cover sheet. Deposit 1053 130 1053 130 Non-English specification Account Townsend and Townsend and Crew LLP 1812 2,520 1812 2,520 For filing a request for reexamination The Commissioner is authorized to: (check all that apply) 1804 920\* 1804 920\* Requesting publication of SIR prior to Examiner action Charge fee(s) indicated below Credit any overpayments 1805 1,8401 1805 1.840\* Requesting publication of SIR after Charge any additional fee(s) during the pendency of this application Examiner action Charge fee(s) indicated below, except for the filing fee 1251 110 2251 55 Extension for reply within first month to the above-identified deposit account. 1252 410 2252 205 Extension for reply within second **FEE CALCULATION** month 1253 930 2253 465 Extension for reply within third month **BASIC FILING FEE** 1254 1,450 2254 725 Extension for reply within fourth Small Entity arge Entity month Fee Description 1255 1,970 2255 985 Extension for reply within fifth month Fee Paid eboo (\$) Code (\$) 1401 320 2401 160 Notice of Appeal 1001 750 2001 375 Utility filing fee 2402 1402 320 160 Filing a brief in support of an appeal 1002 330 2002 165 Design filing fee Request for oral hearing 1403 280 2403 140 1003 520 2003 260 Plant filing fee Petition to institute a public use 1451 1.510 1451 1.510 1004 750 2004 375 Reissue filing fee proceeding 1005 2005 Provisional filing fee 160 80 1452 110 2452 55 Petition to revive - unavoidable 1453 1,300 2453 650 Petition to revive - unintentional SUBTOTAL (1) 1501 1,300 2501 650 Utility issue fee (or reissue) 1502 2502 470 235 Design issue fee 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1503 630 2503 315 Plant issue fee Fees from 1460 1460 130 130 Petitions to the Commissioner Extra Claims Fee Paid below 50 1807 Petitions related to provisional 1807 50 Total Claims applications 1806 180 1806 180 Submission of Information Disclosure ndependent 180 8021 40 8021 40 Recording each patent assignment fultiple per property (times number of Dependent properties) arge Entity Small Entity 1809 750 2809 375 Filing a submission after final rejection (37 ČFR § 1.129(a)) Fee Fee Description Code Code 750 For each additional Invention to be (\$) (\$) 1810 2810 375 examined (37 CFR § 1.129(b)) 1202 18 2202 Claims in excess of 20 Request for Continued Examination Independent claims in excess of 3 1201 84 2201 42 1801 750 2801 375 1203 280 2203 Multiple dependent claim, if not paid 140 1802 900 1802 900 Request for expedited examination \* Reissue independent claims 1204 84 2204 42 of a design application over original patent \*\* Reissue claims In excess of 20 Other fee (specify) 1205 18 2205 and over original patent (\$)180 SUBTOTAL (2) \*Reduced by Basic Filing Fee Paid SUBTOTAL (3) or number previously paid, if greater; For Reissues, see above SUBMITTED BY Complete (if applicable) Name (Print/Type) L. Celli Registration Nof (Atto 42,397 Telephone 650-326-2400 Signature Date July 28, 2003

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.

09/580,018

Confirmation No. 9973

Applicant Filed

Dale B. Schenk May 26, 2000

TC/A.U. Examiner 1600/1647 Christopher J. Nichols

Docket No.

15270J-004760US

Customer No.

20350

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicants also cite commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98; 09/497,553 filed 02/03/00; 09/724,477 filed 11/28/00; 09/723,927 filed 11/28/00; 09/724,762 filed 11/28/00;

07/31/2003 MAHMED1 00000042 201430 09724273

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09/724,102 filed 11/28/00;
09/724,489 filed 11/28/00;
09/322,289 filed 05/28/99;
09/723,713 filed 11/27/00;
09/723,760 filed 11/27/00;
09/724,319 filed 11/27/00;
09/723,384 filed 11/27/00;
09/724,495 filed 11/27/00;
09/724,940 filed 11/28/00;
09/724,961 filed 11/28/00;
09/580,018 filed 05/26/00;
09/724,552 filed 11/28/00;
09/723,544 filed 11/28/00;
09/724,273 filed 11/28/00;
09/724,551 filed 11/28/00;
09/724,288 filed 11/28/00;
09/580,019 filed 05/26/00;
09/723,765 filed 11/28/00;
09/724,291 filed 11/28/00;
09/204,838 filed 12/03/98;
09/724,921 filed 11/28/00;
09/724,929 filed 11/28/00;
09/585,817 filed 06/01/00;
09/724,567 filed 11/28/00;
09/724,575 filed 11/28/00;
09/724,953 filed 11/28/00;
09/724,570 filed 11/28/00;
09/585,656 filed 06/01/00;
09/723,766 filed 11/27/00;
09/723,725 filed 11/27/00;
09/579,690 filed 05/26/00;
09/979,701 filed 03/13/01
(U.S. National Stage of PCT/US00/14810 filed 05/26/00);
09/979,952 filed 04/04/02
(U.S. National Stage of PCT/US00/15239 filed 06/01/00);
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Application No. 09/580,018 Supp. IDS dated July 28, 2003

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09/980,568 filed 03/12/02 (U.S. National Stage of PCT/US00/15302 filed 06/01/00); and, 10/429,216 filed May 2, 2003.
```

Applicants also cite the following copending application directed to related subject matter but subject to different assignment:

```
10/010,942 filed 12/06/01;
10/232,030 filed 08/30/02;
60/444,150 filed 02/01/03, and
10/388,214 filed 03/12/03.
```

Applicants further cite the following commonly owned abandoned applications directed to related subject matter:

```
60/067,740 filed 12/02/97;
60/080,970 filed 04/07/98;
60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
60/137,010 filed 06/01/99;
60/137,047 filed 06/01/99; and,
60/136,655 filed 05/28/99.
```

Applicants also cite the following abandoned application directed to related subject matter but subject to different assignment:

```
60/251,892 filed 12/06/00; and, 60/363,751 filed 03/12/02.
```

Applicants point out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

```
60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
09/204,838 filed 12/03/98;
09/724,921 filed 11/28/00; and,
09/724,929 filed 11/28/00.
```

Application No. 09/580,018 Supp. IDS dated July 28, 2003

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance. Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Rosemarie L. Celli Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8<sup>th</sup> Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 650-326-2422

RLC 23320192 v1

PTO/SB/08A (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO Complete if Known **Application Number** 09/580,018 INFORMATION DISCLOSURE Filing Date May 26, 2000 STATEMENT BY APPLICANT **First Named Inventor** Dale B.Schenk 1647 Art Unit (use as many sheets as necessary) Christopher J. Nichols Examiner Name 15270J-004760US Sheet Attorney Docket Number

	U.S. PATENT DOCUMENTS						
		Document Number					
Examiner	Cite No. <sup>1</sup>	Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	360	2003/0073655 A1	04-17-2003	Chain			
	370	2003/0068325 A1	04-10-2003	Wang			
	366	2002/0187157 A1	12-12-2002	Jensen et al.			
	340	2002/0162129 A1	10-31-2002	Lannfelt			
	365	2002/0133001 A1	09-19-2002	Gefter et al.			
	362	2002/0094335 A1	07-18-2002	Chalifour et al.			
	376	2002/0086847	07-04-2002	Chain			
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	346	5,935,927	08-10-1999	Vitek et al.			
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	356	5,622,701	04-22-1997	Berg			
	358	5.583.112 B2	12-10-1996	Kensil et al.			

Examiner Signature	Date Considere	d

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<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**Application Number** 09/580,018 ·到此二31 2( **Filing Date** May 26, 2000 **First Named Inventor** Dale B.Schenk TECH CENTER 160 1647 Art Unit

(use as many sheets as necessary)

Christopher J. Nichols **Examiner Name** of 15270J-004760US Sheet Attorney Docket Number

U.S. PATENT DOCUMENTS							
	0114	Document Number	Filing Date	Name of Patentee or	Pages, Columns, Lines, Where		
Examiner	Cite No. <sup>1</sup>	Number Kind Code <sup>2</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear		

		-		FOREIGN PAT	ENT DOCUM	ENTS		
Examiner	Cite No.1	Foreign Patent Document		Publication	Name of Patentee or	Pages, Columns, Lines,		
Initials*		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>6</sup> ( <i>if known</i> )	Date MM-DD- YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	352	wo	02/34777	A1	05-02-2002			
	351	wo	02/34878	A2	05-02-2002			
	343	EP	1 172 378	A1	01-16-2002			
	344	wo	01/90182	A2	11-29-2001			
	348	wo	01/77167	A2	10-18-2001	•		
	341	wo	02/03911	A2	04-07-2001		,	

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PA 3320092 v1

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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C mplete if Known **Application Number** 09/580,018 **Filing Date** May 26, 2000 2003 **First Named Inventor** Dale B. Schenk 1647 Art Unit TECH CENTER 1600/2800

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15270J-004760US Sheet Attorney Docket Number

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	372	AKIYAMA et al., "Occurrence of the Diffuse Amyloid β-Protein (Aβ) Deposits With Numerous Aβ-Containing Glial Cells in the Cerebral Cortex of Patients With Alzheimer's Disease," Glia, 25:324-331 (1999).	
·	363	DODART, "Immunotherapy for Alzheimer's disease: will vaccination work?" Trends in Molecular Medicine, 9(3):85-87 (2003).	
	364	FURLAN et al., "Vaccination with amyloid-β peptide induces autoimmune encephalomyelitis in C57/BL6 mice," Brain, 126:285-291 (2003).	
	374	JAKES et al., "Characterisation of an Antibody Relevant to the Neuropathology of Alzheimer Disease," <u>Alzheimer Disease and Associated Disorders</u> , 9(1):47-51, Raven Press, Ltd., New York (1995).	
	371	JOHNSTONE et al., Nuclear and Cytoplasmic Localization of the β-Amyloid Peptide (1-43) in Transfected 293 Cells," <u>Biochemical and Biophysical Research Communications</u> , 220:710-718 (1996).	
347		JORBECK et al., "Artificial Salmonella Vaccines: Salmonella typhimurium O-antigen-Specific Oligosaccharide-Protein Conjugates Elicit Opsonizing Antibodies that Enhance Phagocytosis," Infection and Immunity, May:497-502 (1981).	
	367	MONSONEGO et al., "Immune hyporesponsiveness to amyloid β-peptide in amyloid precursor protein transgenic mice: Implications for the pathogenesis and treatment of Alzheimer's disease," PNAS, 98(18):10273-10278 (2001).	
	359	MUNCH et al., "Potentional neurotoxic inflammatory response to Aβ vaccination in humans," (2002) <u>J. Neural Transm.</u> , 109:1081-1087.	
	355	MUNSON ed., "Principals of Pharmacology: Basic Concepts & Clinical Applications," (1995), 47-48, Chapman & Hall, New York, New York.	
	354	MUTSCHLER et al., "Drug Actions: Basic Principles and Therapeutic Aspects," (1995) 7, 11-12, medpharm Scientific Publishers, Stuttgart, Germany.	
	368	SIPE, "Amyloidosis," Annu. Rev. Biochem., 61:947-975 (1992).	
	369	SPOONER et al., "The generation and characterization of potentially therapeutic A\$ antibodies in mice: differences according to strain and immunization protocol," <u>Vaccine</u> , 21:290-297 (2002).	

Examiner	Date	]
Signature	Considered	

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Complete if Known Applicati n Number 09/580,018 May 26, 2000 Filing Dat First Named Inventor Dale B. Schenk Art Unit 1647

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Christopher J. Nichols **Examiner Name** 15270J-004760US of Attorney Docket Number Sheet 4

361	SU et al., "Intravascular infusions of soluble β-amyloid compromise the blood-brain barrier, activate CNS Glial cells and induce peripheral hemorrhage," <u>Brain Research</u> , 818:105-107 (1999).	
375	TSUZUKI et al., "Amyloid $\beta$ protein in rat soleus in choroquine-induced myopthy using end-specific antibodies for A $\beta$ 40 and A $\beta$ 42: immunohistochemical evidence for amyloid $\beta$ protein," Neuroscience Letters, 2002:77-80 (1995).	

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Signature	•	Considered		

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